

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

ROBIN DALE KILGORE PEPPERS,

Petitioner,

v.

SHERIFF,

Respondent.

CAUSE NO. 3:19CV77-PPS/MGG

OPINION AND ORDER

Robin Dale Kilgore Peppers, a prisoner without a lawyer, filed a habeas corpus petition attempting to challenge a prison disciplinary hearing where he was found guilty of Failure to Keep Set Standards of Handbook following a disciplinary hearing at the St. Joseph County Jail. He did not lose any earned credit time – nor was he demoted in credit class – as a result of this hearing. A prison disciplinary hearing can only be challenged in a habeas corpus proceeding where it results in the lengthening of the duration of confinement. *Hadley v. Holmes*, 341 F.3d 661, 664 (7th Cir. 2003). Therefore, habeas corpus relief is not available in this case.

If Peppers wants to appeal this decision, he does not need a certificate of appealability because he is challenging a prison disciplinary proceeding. *See Evans v. Circuit Court*, 569 F.3d 665, 666 (7th Cir. 2009). However, he may not proceed in forma pauperis on appeal because pursuant to 28 U.S.C. § 1915(a)(3) an appeal in this case could not be taken in good faith.

ACCORDINGLY:

Robin Dale Kilgore Peppers' habeas corpus petition is DENIED.

The clerk is DIRECTED to enter judgment and close this case.

Robin Dale Kilgore Peppers is DENIED leave to proceed in forma pauperis on appeal.

SO ORDERED on February 20, 2019.

/s/ Philip P. Simon  
JUDGE  
UNITED STATES DISTRICT COURT